

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

Family Rehabilitation, Inc., d/b/a Family Care
Texas, d/b/a Angels Care Home Health;

Plaintiff,

v.

Alex M. Azar, II, Secretary of the United States
Department of Health and Human Services; and
Seema Verma, Acting Administrator for the
Centers for Medicare and Medicaid Services;

Defendants.

Civil Action No. 3:17-CV-3008-K

**DEFENDANTS' UNOPPOSED MOTION FOR A STAY OF THEIR TIME TO
RESPOND TO PLAINTIFF'S COMPLAINT**

Defendants, by and through their undersigned counsel, respectfully move for a stay of their time to file a response to Plaintiff's Complaint. Plaintiff's counsel has informed Government counsel that Plaintiff does not oppose this motion.

On October 31, 2017, Plaintiff filed a verified complaint for a temporary restraining order and preliminary injunction. Two days later, on November 2, 2017, the Court denied the motion and dismissed the case. Following Plaintiff's appeal, the Fifth Circuit affirmed in part and reversed in part and issued the mandate on May 21, 2018. Two days after that, on May 23, Plaintiff filed an amended verified complaint for a temporary restraining order and preliminary injunction. Following the parties' briefing and oral argument, this Court entered a preliminary injunction on June 28, 2018.

The Government has until August 27, 2018, to decide whether to appeal this decision. In the interim, the parties have discussed the matter and agreed that it is appropriate to stay Defendants' time to respond to Plaintiff's complaint.

Accordingly, Defendants respectfully request that this Court enter an order staying their time to respond to Plaintiffs' complaint.

Dated: July 18, 2018

Respectfully submitted,

CHAD A. READLER
Acting Assistant Attorney General

JENNIFER D. RICKETTS,
Branch Director, Federal Programs Branch

/s/Nicholas Cartier
NICHOLAS CARTIER
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CERTIFICATE OF CONFERENCE

This is to certify that the parties have conferred about this motion and are in agreement as noted in the body of the motion.

/s/Nicholas Cartier
NICHOLAS CARTIER

CERTIFICATE OF SERVICE

On July 18, 2018, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Brian W. Stoltz
Brian W. Stoltz
Assistant United States Attorney